

PUBLIC EMPLOYEES' RETIREMENT BOARD

February 12, 2015

Topic: Alder VFD

Acceptance of past Certificates that increase members' years of service

Staff recommendation:

Staff recommends one year of credit be granted for FY2012 to the two firefighters listed on the amended FY2012 VFCA Annual Certificate for Alder VFD.

Board Motion:

☐ Uphold Staff Recommendation

☐ Other.

Moved by

Seconded by

Vote

INFORMAL CONSIDERATION

February 12, 2015

Petitioner: Alder Volunteer Fire Department
Fire Chief: Daniel Doornbos
Contact: Daniel Doornbos

Retirement System: VFCA

**Request for Board
Consideration:**

The Alder VFD is requesting that the Board accept the amended Annual Certificate filed on November 27, 2013 for the fiscal year 2012. The Annual Certificate was signed by the Fire Chief and notarized. Included was the training documentation by fiscal year as is required. See details below.

How many fiscal years is the department requesting to file?

One; 2012

How many specific years of service are being requested?

1 year; 2 members

Has the actuary evaluated the impact of these years of service on the VFCA plan?

NO

Has the volunteer fire department filed the necessary qualifications as required by State law?

Yes

Was the appropriate training documentation submitted?

Yes

How many times has the department filed late in the last 10 years?

None

Give details of any problems:

Correspondence:

January 29, 2013: Letter to Fire Chief Daniel Doornbos regarding filing of amended/late filed annual certificates.

November 27, 2013: Information received from Fire Chief Daniel Doornbos: VFCA annual certificate, letter of explanation, and certified training documents.

Alder VFD

Acceptance of past Certificates that increase members' years of service

Summary:

The Alder VFD Fire Chief Daniel Doornbos is asking for a year of credited service for FY2012 for two volunteer firefighters. These firefighters were marked "NO" for credit on the original filed FY2012 VFCA Annual Certificate received on August 28, 2012. When filing the original certificate, the fire chief did not include the CPR/First Aid training the firefighters had received from their employers.

This is an amendment to the original filed FY2012 VFCA Annual Certificate and all information was filed within the three year timeline from the original due date of September 1, 2012.

RELEVANT LAW AND RULES:

Montana Code Annotated (Effective before July 1, 2011)

19-17-108. Credit for service as volunteer firefighter – records. (1) The annual period of service that may be credited under this chapter is the fiscal year. A fractional part of a year may not count toward the service required for participation in this system. To be eligible to receive credit for any particular year, a volunteer firefighter shall serve with a fire company throughout the entire fiscal year.

(2) The years of service are cumulative and need not be continuous. Separate periods of service properly credited with different fire companies must be credited toward a member's eligibility for full or partial benefits.

(3) A volunteer firefighter must receive credit for service during any fiscal year if:

(a) during the fiscal year, the volunteer firefighter completes a minimum of 30 hours of training in matters pertaining to firefighting under a formal program that has been formulated, supervised, and certified to the board by the chief or designated official of the fire company;

(b) the volunteer firefighter's participation in the training program is documented in the fire company's records filed and maintained by the chief or designated official; and

(c) the fire company maintained firefighting equipment that is in serviceable condition and owns, rents, or uses one or more buildings used for the storage of that equipment that all together are valued at \$12,000 or more.

(4) The chief or designated official of each fire company shall keep and maintain training records for each current and former volunteer firefighter who is or was a member of the fire company.

Montana Code Annotated (Effective July 1, 2011)

19-17-108. Credit for service as a volunteer firefighter – records. (1) The annual period of service that may be credited under this chapter is the fiscal year. A fractional part of a year may not count toward the service required for participation in this system. To be eligible to receive credit for any particular year, a volunteer firefighter shall serve throughout the entire fiscal year with a single fire company that is organized under Title 7, chapter 33, and continues to meet the requirements of 19-17-109.

(2) The years of service are cumulative and need not be continuous. Separate periods of service properly credited with different fire companies must be credited toward a member's eligibility for benefits.

(3) A volunteer firefighter may not receive credit for service during any fiscal year unless:

(a) during the fiscal year, the volunteer firefighter completes a minimum of 30 hours of training in firefighting duties as outlined in 19-17-105 under a formal program that has been formulated, supervised, and certified to the board by the chief or designated official of the fire company; and

(b) the volunteer firefighter's participation in the training program is documented in the fire company's records maintained pursuant to 19-17-111 by the chief or designated official.

Montana Code Annotated (Effective July 1, 2011)

19-17-112. Filing required reports – limitations. (1) The chief or designated official of each fire company that claims eligibility under this chapter shall, on or before September 1 of each year, file with the board an annual certificate, the current year's roster, and a membership card for each new member.

(2) (a) The annual certificate is a form reporting a fire company's membership eligibility for the previous fiscal year.

(b) The annual certificate must be completed on a form prescribed by the board and contain the date of organization of the fire company and the full name, social security number, and date of birth of each member of the fire company who was a member for the entire fiscal year and who successfully completed 30 hours of training during the preceding fiscal year, as required by 19-17-108.

(c) The chief or designated official shall subscribe and verify under oath, before a notary, that the fire company and members qualified under 19-17-108 and 19-17-109.

(d) The board shall maintain the certificate for the purpose of establishing service for members and eligibility for benefits.

(3) The roster must be signed by the fire chief or designated official, filed with the board, and contain information in writing that provides the names of the fire company, its date of organization, officers, and roll of active and inactive members for the current fiscal year. A roster may be updated to report new members but may not be retroactive.

(4) A membership card must be completed and filed with the board for each member who was a member on or before July 1, 2011, and for each new member who joins after July 1, 2011.

(5) The current fire chief shall file any late or amended annual certificates and the associated certified training records within 3 years of the original annual certificate due date. An annual certificate may be amended only once. The board shall consider and may approve late filings. Information provided to the board by the fire chief must be in accordance with the board's rules.

(6) The current fire chief may request to appear before the board for consideration of the request to file a late or amended annual certificate.

Montana Code Annotated (Effective before July 1, 2011. Repealed in 2011 Legislature and added to 19-17-112, MCA)

19-17-402. Certificate of eligibility. The chief or designated official of each fire company that claims eligibility under this chapter shall, on or before September 1 of each year, file a certificate on a form to be provided by the board, subscribed and verified under oath before a notary, stating whether the company qualified under 19-17-108(3) during the preceding fiscal year. The certificate must contain the date of organization. The certificate must list the full name, social security number, and date of birth of each member of the fire company who was a member for the entire fiscal year and satisfactorily completed 30 hours of training during the preceding fiscal year, as required by 19-17-108(3). The certificate must be maintained by the board for the purpose of establishing service for members and eligibility for benefits.

MPERA ARM

2.43.5001 BASIC UNIT OF SERVICE (1) As of July 1, 1965, the basic unit of service for volunteer firefighters is one fiscal year. Volunteer firefighters not continuously on the active membership list of a single qualifying volunteer fire company for the entire fiscal year shall not be listed on the annual certificate and shall not receive credit for service under the Volunteer Firefighters' Compensation Act (VFCA) for that fiscal year. A volunteer fire company qualifies to participate in the VFCA if the requirements of 19-17-402, MCA, are met.

(2) A volunteer firefighter shall receive one year of credit for service under the VFCA for each two full fiscal years of service performed prior to July 1, 1965. (History: 19-17-203, MCA; IMP, 19-17-201, 19-17-401, 19-17-402, MCA; NEW, 1986 MAR p. 1454, Eff. 8/29/86; AMD, 2003 MAR p. 1188, Eff. 6/13/03; AMD & TRANS, from ARM 2.43.801, 2008 MAR p. 2467, Eff. 12/01/08.)

2.43.5002 FAILURE TO FILE REQUIRED REPORTS (1) In order to receive credit for service under the VFCA, volunteer fire companies must file an "annual certificate" with MPERA. The certification is a report by the fire chief that the members listed on the certificate were active for the full fiscal year and also had the required 30 hours of training. This report is on a fiscal year basis (July through June) and is due by September 1 of each year. The annual certificate is signed by the fire chief and notarized. Annual certificate forms are provided by MPERA.

(2) Annual certificates filed after the September 1 due date must be appealed to and considered by the board for approval. Information provided to the board by the fire chief or designated official must include:

- (a) the original, notarized annual certificate;
- (b) certified training documents showing the required 30 hours of training per listed member;
- (c) a letter from the fire chief explaining why the annual certificate was not filed timely; and
- (d) if requested by the fire chief, oral argument before board. (History: 19-17-203, MCA; IMP, 19-17-201, 19-17-402, MCA; NEW, 1986 MAR p. 1454, Eff. 8/29/86; AMD, 2003 MAR p. 1188, Eff. 6/13/03; AMD & TRANS, from ARM 2.43.802, 2008 MAR p. 2467, Eff. 12/01/08.)

January 29, 2013

Dan Doornbos, Fire Chief
Alder VFD
PO Box 149
Alder, MT 59710

Dear Fire Chief Doornbos,

The Public Employees' Retirement Board (PERB) has decided that late or amended certificates, when filed properly, accompanied by a letter of explanation from the fire chief, and **certified** training documentation for the 30 or more hours of training, will be considered for acceptance. Beginning July 1, 2011, only late Annual Certificates that are filed within 3 years of the original Annual Certificate due date will be considered. The due dates of annual certificates are September 1 of each year for the previous fiscal year (ie FY2007-2008 was due September 1, 2008). An annual certificate may be amended only once.

The **certified** training information must be based on fiscal years (July 1st thru June 30th) and in an easily readable format. Training documentation must include the following:

- ❖ The date the training was offered;
- ❖ Title of the training;
- ❖ Description of the training;
- ❖ Hours of training;
- ❖ Each member's hours of training for each class.

Training does **not** include business meetings, emergency calls or vehicle or hall maintenance.

Enclosed you will find a blank FY2011-2012 VFCA Annual Certificate for the amended certificate. On this annual certificate, please include names of all members that qualified for credit during the fiscal year that were left off of the original, notarized annual certificate that was received on August 28, 2012. Don't forget to fill in all information (SSN, Birthdate, VFCA Entry Date, and a Y or N in the Credit Column) for each member listed or they will not receive credit. Remember that an annual certificate may be amended only once and the original, notarized certificate must be returned to our office, not a copy or fax will be accepted.

If you have questions, please call me at 406-444-3193 or toll free 1-877-275-7372 ext 3193.

Sincerely,

Diann Levandowski
Assistant Fiscal Services Bureau Chief

Enclosure

RECEIVED
NOV 27 2013
RETIREMENT BOARD

Daniel E Doornbos
PO Box 149
Alder, Montana 59710

Diann Levandowski
Assistant Fiscal Service Bureau Chief
Montana Public Employee Retirement Administration
PO Box 200131
Helena, Montana 59620-0131

Dear Ms Levandowski,

Please find enclosed the completed paperwork to amend the FY2011-2012 Annual Certificate for our fire department. Charles M Gilman and Duke W Gilman were left off the original certificate as they took their CPR/First Aid training from classes offered by their employers and should have been credited by our department for that training but weren't.

Thank you you for your assistance in getting this corrected.

Sincerely,



Daniel E Doornbos
Fire Chief, Alder VFD


ALDER VFD

Training records for FY2011-2012

date	class	GILMAN, CHARLES	GILMAN, DUKE	NAME	NAME	NAME	NAME	NAME	NAME	Description
7/2/2011	General fire response -- Use of radios, SCBA's Standard Operating procedures (SOP)	2	2							
8/29/2011	Structure truck operation and pumping and hose lay practice	2	2							
9/26/2011	Practice finding address and physical locations using new county map atlas	2	2							
10/31/2011	SOP for responding to mutual aid calls and proper radio procedures	2	2							
11/28/2011	Structure fire defensive tactics taught by State Fire School Instructor	3.5	3.5							
12/12/2011	Practice making proper hose lays on truck and ground and ladder use	2	2							
1/20/2012	SCBA training, proper donning of equipment and simulated room search	3	3							
1/27/2012	CPR/First Aid Training		8							Snowcrest Ranch training
2/24/2012	CPR/First Aid Training	7.75								Ranch Resources, LLC of Sheridan, MT
2/27/2012	Winter pumping and drafting exercise-structure, wildland, water tender	2	2							
3/26/2012	SCBA training with hose lay practice	2	2							
4/30/2012	Wildlands fire suppression training with DNRC instructors	3	3							
5/21/2012	Proper method of preparing incident reports; Review of SOP's		2							
6/25/2012	Wildlands fire training, standards for safety and survival		2							
	TOTALS	31.25	31.50	0	0	0	0	0	0	
		GILMAN, CHARLES	GILMAN, DUKE	NAME	NAME	NAME	NAME	NAME	NAME	

**Y 2011-2012
Training Information**

DATE	HRS	TRAINING & DESCRIPTION	DUKE	CHARLES
7-2-11	2	General fire response-Use of radios, SCBA's Standard operating procedures	2	2
8-29-11	2	Structure truck operation and pumping and hose lay practice	2	2
9-26-11	2	Practice finding addresses and physical locations using new county map atlas	2	2
10-31-11	2	SOP for responding to mutual aid calls and Proper radio procedures	2	2
11-28-11	3.5	Structure fire defensive tactics taught by State Fire School Instructor	3.5	3.5
12-12-11	2	Practice making proper hose lays on truck and Ground and ladder use	2	2
1-20-12	3	SCBA training, proper donning of equipment And simulated room search	3	3
1-27-12	8	CPR/First Aid Training	8	----
2-24-12	7.5	CPR/First Aid Training	----	7.75
2-27-12	2	Winter pumping and drafting exercise-structure wildland, water tender	----	2
3-26-12	2	SCBA training with hose lay practice	----	2
4-30-12	3	Wildlands fire suppression training with DNRC instructors	3	3
5-21-12	2	Proper method of preparing incident reports; Review of SOP's	2	----
6-25-12	2	Wildlands fire training, standards for safety and survival	<u>2</u>	<u>----</u>
Total Training Hours			31.5	31.25

I, , as Chief of the Alder Volunteer Fire
Department, certify that Duke Gilman and Charles Gilman completed the enclosed training
and hours.



P.O. Box 638
120 S. Main Street, Suite 104
Sheridan, MT 59749

1-866-842-5010

406-842-5010

F 406-842-5910

www.ranchresources.net

December 11, 2012

RECEIVED

NOV 27 2013

RETIREMENT BOARD

To whom it may concern,

This letter serves to verify the attendance of **Charles M. Gilman**, an Ranch Resources employee, at a CPR/First Aid training course hosted by Ranch Resources, LLC of Sheridan, MT. Mr. Gilman was in attendance for the entirety of the presentation, participated in many of the course activities, and successfully completed the course.

The CPR/First Aid Training Course took place on **February 24, 2012**, from 7:45am to 3:30pm (duration of 7.75 hrs).

Cordially,

Logan Miller

Natural Resource Specialist (& Interim Safety Officer)

Ranch Resources, LLC

lmiller@ranchresources.net

(406) 842-5010

Snowcrest Ranch

Box 138 Alder, MT 59710

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NOV 27 2013
RETIREMENT BOARD

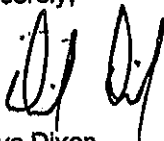
December 3, 2012

Alder Fire Department
Alder, MT 59710

To whom it may Concern:

Duke Gilman attended 8 hours First Aid Training (refresher) and CPR Training at the Snowcrest Ranch passed tests required and was recertified Friday January 27th 2012 If you have any questions, please contact me at 406-842-5970.

Sincerely,

A handwritten signature in black ink, appearing to be 'D. Dixon', written over a horizontal line.

Dave Dixon
Snowcrest Ranch Manger